



COUNTY COUNCIL OF BEAUFORT COUNTY

Beaufort County Planning & Zoning

Multi Government Center • 100 Ribaut Road

Post Office Drawer 1228, Beaufort, SC 29901-1228

OFFICE (843) 255-2170

FAX (843) 255-9446

The regular monthly meeting of the Beaufort County Zoning Board of Appeals was held on Thursday, June 27, 2024, at the Beaufort County Administration Bldg., Council Chambers, Beaufort, South Carolina.

MEMBERS PRESENT

Mr. Kevin Mack, Chairman

Mrs. Jane Frederick, Vice Chairwoman

Mr. John Chemsak

Ms. Lynn Hoos

Mr. Evan Bromley

Mr. Dennis Nielsen

MEMBERS ABSENT

Mr. Cecil Mitchell

VACANCY

None

STAFF PRESENT

Ms. Hillary Austin, Zoning Administrator

Mrs. Lisa Anderson, Asst. Zoning Administrator

ATTORNEY PRESENT

None

CALL TO ORDER: Mr. Mack called the meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE: Mr. Mack led those assembled with the Pledge of Allegiance.

FOIA – PUBLICATION NOTICE: Mr. Mack asked if all public notices were sent out, Ms. Austin verified that they were.

ADOPTION OF AGENDA:

MOTION: Mr. Chemsak made a motion to adopt the agenda. Ms. Hoos seconded the motion. The motion passed unanimously.

ADOPTION OF MINUTES: May 23, 2024

MOTION: Mrs. Frederick made a motion to approve the minutes. Mr. Bromley seconded the motion. The motion passed Unanimously by the members present at the May 2024 meeting. Mr. Mack abstained.

ALLEN PATTERSON'S SPECIAL USE PERMIT– MINING

Mr. Karlyk, the engineer for Mr. Patterson, stated that Mr. Patterson is requesting approval for a 5-acre pond. The pond is located on a 218 acre of property and will be away from property lines. He stated that the pond will be no more than 12 feet deep, and the owner of the pond will adhere to all conditions listed in the Staff Report.

Mr. Mack asked if the construction road will be located on Seaside Road.

Mr. Karlyk stated yes, they will be using the existing access.

Ms. Austin stated that the Staff Review Team recommended approval with 12 conditions.

PUBLIC COMMENT

Mr. Mack called for Public Comment.

No Public Comment, Mr. Mack closed Public Comment.

MOTION: Mrs. Frederick made a motion to approve the Special Use with the Staff's recommendations. Mr. Chemsak seconded the motion. The motion passed unanimously. FOR: Frederick, Chemsak, Mack, Bromley, Hoos, Neilsen.

LISA PRUTSMAN'S SPECIAL USE – LODGING, SHORT-TERM RENTAL

Mr. Mack stated that the applicant is requesting the project to be deferred until the next scheduled meeting.

MOTION: Mrs. Frederick made a motion to defer the request to the next scheduled meeting. Mr. Bromley seconded the motion. The motion passed unanimously. FOR: Frederick, Chemsak, Mack, Bromley, Hoos, Neilsen.

ASHLEY OWENS-AVART'S SPECIAL USE – LODGING, SHORT-TERM RENTAL

Dennis & Lori Abbott stated that they are representing the applicant, and they will be the property managers for Mrs. Owens-Avart, and that she is requesting a Special Use approval for lodging, short-term rental.

Mrs. Frederick asked if they are neighbors to the property owner?

Mr. Abbott answered yes.

Mr. Mack stated that they have the staff's recommendations.

PUBLIC COMMENTS – Mr. Mack called for Public Comments.

Virginia Branch stated that she is opposed to the Lodging, Short-Term Rental. She also stated that she and the rest of the neighbors would like the neighborhood to remain the quiet neighborhood it is.

Mr. Arnold Hollis stated that he is opposed to the Lodging, Short-Term Rental.

Mr. Kenneth Linder stated that he is opposed to the Lodging, Short-Term Rental. He stated that two (2) houses down had seven (7) cars and they were noisy.

Mr. Richard Neill stated that he is opposed to the Lodging, Short-Term Rental.

Mr. Martin Hupko stated that he is opposed to the Lodging, Short-Term Rental.

Mrs. Alexandra Lanza stated that she and her husband are opposed to the Lodging, Short-Term Rental. She stated that there is no way to control the renters who do not know about the turtle nesting area, and that short-term rentals are destructive to the neighborhood and to the turtles.

Mr. Craig Crosson stated that he is opposed to the Lodging, Short-Term Rental.

Mr. Mack closed the **PUBLIC COMMENT**.

Mr. Bromley stated that he does not think there is anything in the covenants, and since there are no covenants, the Board must decide whether it is outside the character of the community/neighborhood. He stated that he believes the quality of life, and the environment especially with the turtles and the lights out are not being respected by short-term renters.

Mr. Chemsak posed a question to staff, asking if 75% of the neighborhood would get together could they write covenants to prohibit short-term rentals?

Ms. Austin stated that she thinks it is too late for that, if there were already covenants and restrictions, and they were coming up for renewal, the neighborhood could get together and change them, but since there is none, if this property owner did not want to be apart of the new covenants they do not have to participate.

Mr. Mack stated that the problem he is having is the fact that the Board has already issued approvals for short-term rentals in the neighborhood, and he does not see how the board could not grant this approval.

Mrs. Frederick stated that those special uses were granted by another board, and it is now our responsibility to look at all the issues.

Mr. Abbott stated to the Board that he would like to be able to address these existing short-term rental permits when they come up for renewal. He also stated he would like to be able to appeal these permits when they come up for renewal.

Mr. Mack stated that they do not come to the board for renewal, so he is not sure how that request could be addressed.

Mr. Mack called for a motion.

MOTION: Mrs. Frederick made a motion to deny the Short-Term Rental because it is not in keeping with the Comprehensive Plan in protecting our environment with the sea turtles and the character of the immediate land in the immediate vicinity which is single-family residential. Mrs. Hoos seconded the motion. The motion passed unanimously. FOR: Frederick, Hoos, Mack, Chemsak, Bromley, Nielsen.

MIRELLA ASTUDILLO'S SPECIAL USE, LODGING, SHORT-TERM RENTAL

Miles Chandler stated that he is the agent for the applicant. He stated that the applicant is requesting a Special Use Permit for Lodging, Short-Term Rental. He stated that this is a one (1) bedroom and 1 bathroom house sitting on 5-acres of land. The property can accommodate four (4) guests and two (2) cars.

Mrs. Frederick asked if the house at 39 Pritchard Farms is on the same property and who lives there now?

Mr. Chandler answered yes, and that house is a long-term rental.

Mr. Mack stated the Board has the Staff's recommendations.

Mr. Mack called for **PUBLIC COMMENT**.

Megan Frenzel stated that she is opposed to the Short-Term Rental. She stated that she is the neighbor and operates an active small horse farm which has operated for many years. She stated that she is very much opposed to having a short-term rental next door for the safety of her children and the animals. She stated she is the mother of a severely autistic child, and she does not see how these uses can coexist. She also stated that someone who does not live in the neighborhood was driving so fast that they missed the curve and almost hit her 6-year-old son who was walking his pony. She continued to state that short-term renters love fireworks, and that is something that is not healthy for her autistic child and the horses.

Zachery Frenzel stated that he is opposed to the Short-Term Rental.

Patty Beckwith stated that she is opposed to the Short-Term Rental. She also stated that it was her fence that the accident destroyed.

Michael Howell stated that he is opposed to the Short-Term Rental. He stated that the structure was an open garage, now it is enclosed and is being rented out.

Mary did not fill out a form but was given the opportunity to speak and stated that having short-term rentals next to horses is a horrible idea. The renters sometimes have children who want to come up and pet the horses which could cause bodily harm. She is opposed to the short-term rental.

Mr. Mack closed the **PUBLIC COMMENT**.

Mr. Mack called for a motion.

MOTION: Mrs. Frederick made a motion to deny the special use permit because it is not in keeping with the character of the neighborhood. Ms. Hoos seconded the motion. The motion passed unanimously. FOR: Frederick, Hoos, Mack, Chemsak, Bromley, Nielsen.

BARRY GUPTON'S SPECIAL USE, LODGING, SHORT-TERM RENTAL

Mr. Gupton stated that he is seeking approval for short-term rental unit. He stated that the property would be owner occupied.

Ms. Austin stated that this property is governed by covenants and restrictions, therefore, Staff recommends disapproval.

Mr. Mack call for **PUBLIC COMMENT**.

Derek Gilbert stated that he did the title search, and that the property is not governed by the recorded covenants and restrictions.

Janet McCauley stated she is opposed, and that the property is governed by covenants and restrictions. She submitted documents to the Board.

Mr. Mack closed **PUBLIC COMMENT**.

Mr. Gilbert and Ms. Austin agreed that the County Attorney should review the documents.

MOTION: Mrs. Frederick made a motion to defer the project until the next scheduled meeting so that the attorneys can review the covenants and restrictions. Mr. Bromley seconded the motion. The motion passed unanimously. FOR: Frederick, Bromley, Mack, Chemsak, Hoos, Nielsen.

HEIDI HOLLAND'S SPECIAL USE, LODGING, SHORT-TERM RENTAL

Alec Westmark, the agent for the applicant stated that they are seeking approval for a short-term rental. He stated that the owner lives next door and is renting the accessory unit.

Mrs. Frederick asked how many people would be allowed?

Mr. Westmark stated that six (6) people would be allowed, and that it is a three (3) bedroom house.

Ms. Austin stated that the neighborhood amended the covenants and restrictions to allow short-term rental for five (5) years.

Mrs. Frederick stated that the five (5) years began when the covenants were amended, therefore this approval would be for four (4) years.

Mr. Mack called for **PUBLIC COMMENT**

No public comment.

Mr. Mack closed **PUBLIC COMMENT**.

MOTION: Mrs. Frederick made a motion to approve the short-term rental for a period of four (4) years ending July 24, 2028. Ms. Hoos seconded the motion. The motion passed unanimously. FOR: Frederick, Hoos, Mack, Chemsak, Bromley, Nielsen.

REVEREND LEWIS' SPECIAL USE, CAMP/RETREAT CENTER

Mr. Walter Nester stated that his law firm represents the Anglican Diocese of South Carolina, and they are requesting three (3) special use permits to construct an inn up to 24 rooms, a meeting facility/place of worship over 15,000 square feet, and approval to identify what the use is because it is not listed in the Community Development Code because of the mixture of different uses. He also stated that the staff's report mentioned docks, and he wanted to clarify that docks are not shown on the site plan and is not a part of this request.

Mr. Ken Weldon stated that he is the Executive Director of Camp Jubilee which is a summer camp program. He explained that presently the Diocese is renting spaces around the state, and they are looking for a forever home and believes that they have found it on Ladys Island.

Mrs. Frederick stated that she is concerned about what the project is calling a room. She believes that her definition of an inn is a lodging facility that would have single rooms or maybe suites that would have a maximum of 24 rooms. She continues to state that what is being proposed would set a horrible precedent. She stated she counted the rooms and cottages and there are cottages 1 through 6 that each have 2,400 square feet. She also stated that there are 35 buildings not 16, and there are three (3) bedroom cottages that are being counted as one (1) hotel room. She went on to state that a typical hotel room is 300-500 square feet, and a luxury hotel may have rooms from 400-600 square feet. The plan shows 15 cottages at 2,700 square feet each.

Mr. Keefer stated that this is not a resort or a hotel experience, it is a summer camp. Therefore, buildings 1 – 6 have been set up for the kids' camp and we think that there will be about 120 children. Building 7-22 are set up for the retreat experience where there would be events like Men's weekend or family events.

Mrs. Frederick asked why did the church not use the semi-developed campground for the use?

Ms. Austin stated that they would not be able to use that use, because to construct a semi-developed campground, they would need public sewer, and there is no public sewer in that area.

Mr. Weldon requested that the Board defer the project until the next scheduled meeting.

Mr. Mack stated that the project is deferred per the applicant.

PUBLIC COMMENT

No public comment, project was deferred by applicant.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

MOTION: Mrs. Frederick made a motion to adjourn. Ms. Hoos seconded the motion. The motion passed unanimously. FOR: Frederick, Hoos, Mack, Chemsak, Bromley, Nielsen.

Meeting adjourned at 6:40 p.m.